

**AMENDMENTS TO THE CLAIMS**

**Please cancel Claims 14-18 and 31-33 without prejudice.**

1-11 (canceled)

12 (previously presented): A non-aqueous secondary battery comprising a positive electrode, a negative electrode, a separator, and a non-aqueous electrolyte containing lithium salt and having a flat shape, wherein when a pressure of  $2.5 \text{ kg/cm}^2$  is applied to the direction of thickness of the separator, thickness A of the separator is not less than 0.02 mm and not more than 0.15 mm and a porosity of the separator is 40% or higher, and

when the absolute value of a change rate of the thickness (mm) of the separator relative to the pressure ( $\text{kg/cm}^2$ ) applied to the direction of thickness of the separator is defined as B ( $\text{mm}/(\text{kg/cm}^2)$ ), pressure F which renders  $B/A=1$  is not less than  $0.05 \text{ kg/cm}^2$  and not more than  $1 \text{ kg/cm}^2$ .

13 (previously presented): The non-aqueous secondary battery according to Claim 12, wherein the separator has a first separator and a second separator different from the first separator, the first separator is the separator as recited in Claim 12, and

the second separator is a micro-porous film having a thickness of 0.05 mm or less, a pore diameter of  $5 \text{ }\mu\text{m}$  or less, and a porosity of 25% or more.

14-18 (canceled)

19 (previously presented): The non-aqueous secondary battery according to Claim 12 or 13, wherein the separator is made of a material comprising at least one of polyethylene or polypropylene as a main component.

20 (original): The non-aqueous secondary battery according to Claim 12, wherein the separator is made of non-woven fabric.

21 (previously presented): The non-aqueous secondary battery according to Claim 20, wherein the unit weight of the separator is not less than  $5 \text{ g/m}^2$  and not more than  $30 \text{ g/cm}^2$ .

22 (original): The non-aqueous secondary battery according to Claim 13, wherein the first separator is made of non-woven fabric.

23 (previously presented): The non-aqueous secondary battery according to Claim 22, wherein the unit weight of the first separator is not less than  $5 \text{ g/m}^2$  and not more than  $30 \text{ g/m}^2$ .

24 (original): The non-aqueous secondary battery according to Claim 13, wherein the first and second separators are joined together integrally.

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25 (original): The non-aqueous secondary battery according to Claim 13, wherein the material of the first separator is different from that of the second separator.

26 (original): The non-aqueous secondary battery according to Claim 13, wherein at least one of the first and second separators contain polyethylene.

27-33 (canceled)